

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

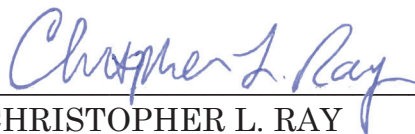
JEROME BLIGE, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	CV424-131
)	
ERNEST FERGUSON, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Plaintiffs filed their original Complaint on June 21, 2024. Doc. 1. Defendant City of Savannah responded by filing a Motion to Dismiss Plaintiffs' Complaint. Doc. 14. Since then, Plaintiffs have filed their First and Second Amended Complaints. *See* docs. 34 & 80. Under black letter federal law, "an amended complaint supersedes the initial complaint and becomes the operative pleading in the case." *Lowery v. Ala. Power Co.*, 483 F.3d 1184, 1219 (11th Cir. 2007) (citations omitted). This means "the original pleading is abandoned by the amendment[] and is no longer a part of the pleader's averments against his adversary." *Dresdner Bank AG v. M/V Olympia Voyager*, 463 F.3d 1210, 1215 (11th Cir. 2006) (citation omitted). An amended complaint that does not

incorporate the prior pleading, such as Plaintiffs' First and Second Amended Complaints, moots "the motion to dismiss the original complaint because the motion seeks to dismiss a pleading that has been superseded." *Wimberly v. Broome*, 2016 WL 3264346, at *1 (S.D. Ga. Mar. 29, 2016) (collecting cases). Therefore, Plaintiffs' Second Amended Complaint is the sole operative pleading in this case and renders moot Defendant City of Savannah's first Motion to Dismiss, doc. 14. Accordingly, the Clerk is **DIRECTED** to terminate the City of Savannah's first Motion to Dismiss, doc. 14, as moot.

SO ORDERED, this 10th day of April, 2025.



CHRISTOPHER L. RAY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA